

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE:

JOEY DOMINGUEZ,

CASE NO.: 6:16-bk-05271

Chapter 13

Debtors.

_____ /

CHAPTER 13 PLAN

CHECK ONE:

_____ Debtor¹ certified that the Plan does not deviate from the model plan adopted by the Court at the time of the filing of this case. Any nonconforming provisions are deemed stricken.

☒ The Plan contains provisions that are specific to this Plan in paragraph 9, Nonconforming Provisions. Any nonconforming provisions not set forth in paragraph 9 is deemed stricken.

1. MONTHLY PLAN PAYMENTS. Plan payments include the Trustee's fee of 10% and shall begin 30 days from petition filing/conversion date. Debtor shall make payments to the Trustee for the period of 60 months. If the Trustee does not retain the full 10%, any portion not retained will be disbursed to allowed claims receiving payment under the Plan and may cause an increased distribution to the unsecured class of creditors.

(A) \$2,350.00 for months 1 through 60

2. ADMINISTRATIVE ATTORNEY'S FEES.

Base Fee \$5,500.00 Total Paid Prepetition \$2,500.00 Balance Due \$3,000.00

Estimated Additional Fees Subject to Court Approval \$ - 0 -

Attorney's Fees Payable through Plan \$3,000.00 (subject to adjustment) plus monitoring fee of \$50.00 after confirmation.

3. PRIORITY CLAIM (as defined in 11 U.S.C. § 507).

Last 4 Digits of Acct. No.	Creditor	Total Claim
6099	Internal Revenue Services	\$16,900.00

¹All references to "Debtor" include and refer to both of the debtors in a case filed jointly by two individuals.

4. **TRUSTEE FEES.** Trustee shall receive a fee from each payment received, the percentage of which is fixed periodically by the United States Trustee.

5. **SECURED CLAIM.** Pre-confirmation payments allocated to secured creditors under the Plan, other than amounts allocated to cure arrearages, shall be deemed adequate protection payments.

(A) **Claims Secured by Real Property Which Debtor Intends to Retain/Mortgage Payments and Arrears, if any, Paid through the Plan.** If the Plan provides for curing prepetition arrearages on a mortgage, Debtor will pay, in addition to all other sums due under the proposed Plan, all regular monthly postpetition mortgage payments to the Trustee as part of the Plan. These mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the postpetition mortgage payments on the following mortgage claims:

Last 4 Digits of Acct No.	Creditor	Collateral Address	Reg. Mon. Payment	Gap Payment	Arrears
6148	Citimortgage	302 N. Sweetwater Blvd Longwood, FL 32779	\$981.85	\$981.85	\$981.85
1859	Ditech	302 N. Sweetwater Blvd Longwood, FL 32779	\$369.17	\$369.17	\$369.17

(B) **Claims Secured by Real Property/Debtor Intends to Seek Mortgage Modification.** Pending the resolution of a mortgage modification request, Debtor shall make the following adequate protection payments to the Trustee: (1) for *homestead* property, the lesser of 31% of gross disposable monthly income of Debtor and non-filing spouse, if any (after deducting homeowners association fees), or the normal monthly contractual mortgage payment, or (2) for *non-homestead*, income-producing property, 75% of the gross rental income generated from the property:

Last 4 Digits of Acct. No.	Creditor	Collateral Address	Payment Amount
None			

(C) **Claims Secured by Real Property or Personal Property to Which Section 506 Valuation APPLIES:** Under 11 U.S.C. § 1322(b)(2), this provision does not apply to a claim secured solely by Debtor's principal residence. A separate motion to determine secured status or to value the collateral must be filed. The secured portion of the claim, estimated below, shall be paid:

Last 4 Digits of Acct. No.	Creditor	Collateral Description/ Address	Claim Amount	Payment	Interest @ ____%
None					

(D) Claims Secured by Real Property and/or Personal Property to Which Section 506 Valuation DOES NOT APPLY. Claims of the following secured creditors shall be paid in full with interest:

Last 4 Digits of Acct. No.	Creditor	Collateral Description/ Address	Claim Amount	Payment	Interest @ ____%
None					

(E) Claims Secured by Personal Property - Maintaining Regular Payments and Curing Arrearages, if any, with All Payments in Plan.

Last 4 Digits of Acct. No.	Creditor	Collateral Description/ Address	Regular Payment	Arrearages
7436	Bank of America	2014 Dodge Avenger	\$238.02	\$ - 0 -

(F) Secured Claims/Lease Claims Paid Direct by Debtor. The following secured claims/lease claims are being made via automatic debit/draft from Debtor's depository account and are to continue to be paid direct to the creditor lessor by Debtor outside the Plan via automatic debit/draft. The automatic stay is terminated *in rem* as to Debtor and *in ream* and *in personam* as to any codebtor as to these creditors and lessors upon the filing of this Plan. Nothing herein is intended to terminate or abrogate Debtor's state law contract rights. (Note: The Plan must provide for the assumption of lease claim that Debtor proposed to pay direct in the Lease/Executory Contract Section 6 below.)

Last 4 Digits of Acct. No.	Creditor	Property/Collateral
None		

(G) Liens to be Avoided per 11 U.S.C. § 522/Stripped Off per 11 U.S.C. § 506. A separate motion to avoid a lien under § 522 or to determine secured status and to strip a lien under § 506 must be filed.

Last 4 Digits of Acct. No.	Creditor	Collateral Description/Address
None		

(H) Surrender of Collateral/Leased Property. Debtor will surrender the following collateral/leased property. The automatic stay is terminated *in rem* as to Debtor and *in rem* and *in personam* as to any codebtor as to these creditors and lessors upon the filing of this Plan. (Note: The Plan must provide for the rejection of lease claim in the Lease/Executory Contract section below.)

Last 4 Digits of Acct. No.	Creditor	Property/Collateral to be Surrendered
None		

6. **LEASES/EXECUTORY CONTRACTS.**

Last 4 Digits of Acct. No.	Creditor	Property	Assume/ Reject- Surrender	Est. Arrearages
None				

7. **GENERAL UNSECURED CREDITORS.** General unsecured creditors with allowed claims shall receive a *pro rata* share of the balance of any funds remaining after payments to the above referenced creditors or shall otherwise be paid under a subsequent Order Confirming Plan. The estimated dividend to unsecured creditors shall be no less than \$1,625.00.

8. **ADDITIONAL PROVISIONS:**

- (A) Secured creditors, whether or not dealt with under the Plan, shall retain the liens securing such claims;
- (B) Payments made to any creditor shall be based upon the amount set forth in the creditor's proof of claim or other amount as allowed by an Order of the Bankruptcy Court.
- (C) Property of the estate (check one)*
 - (1) _____ shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise; or
 - (2) ✓ shall vest in Debtor upon confirmation of the Plan.

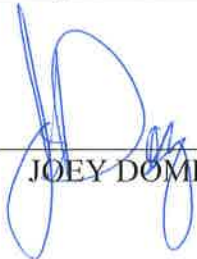
*If Debtor fails to check (a) or (b) above, or if Debtor checks both (a) and (b), property of the estate shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise.

- (D) The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief and/or the proofs of claim as filed and allowed. The Trustee shall only pay creditors with filed and allowed proofs of claim. An allowed proof of claim will control, unless the Court orders otherwise.
- (E) The Debtor may attach a summary or spreadsheet to provide an estimate of anticipated distributions. The actual distributions may vary. If the summary or spreadsheet conflicts with this Plan, the provisions of the Plan control prior to confirmation, after which the Order Confirming Plan shall control.

- (F) Debtor shall timely file all tax returns and make all tax payments and deposits when due. (However, if Debtor is not required to file tax returns, Debtor shall provide Trustee with a statement to that effect). For each tax return that becomes due after the case is filed, Debtor shall provide a complete copy of the tax return, including business returns if Debtor owns a business, together with all related W-2s and Form 1099s, to the Trustee within 14 days of filing the return. Unless otherwise ordered by the Court, Debtor shall turn over to the Trustee all tax refunds in addition to regular Plan payments. Debtor shall not instruct the Internal Revenue Service or other taxing agency to apply a refund to the following year's tax liability. **Debtor shall spent no tax refunds without prior court approval.**

9. NONCONFORMING PROVISIONS:

See attached spreadsheet for payments to administrative/priority/secured creditors



JOEY DOMINGUEZ

8/8/2016

Date

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Chapter 13 Plan was furnished electronically or by U.S. Mail, postage prepaid, to All Creditors and Parties in Interest as listed on the Court's Matrix as attached, this 9th day of August, 2016.



Amy E. Goodblatt, Esquire
Florida Bar No.: 850160
Amy E. Goodblatt, P.A.
1040 Woodcock Road, Suite 251
Orlando, Florida 32803
Telephone: 407-228-7007
Facsimile: 407-244-0057
E-Mail: amy@agoodblatt.com
Attorney for Debtors

filing date	BofA	IRS
1st pmt date	car pmt	
plan term	60	
9/8/2016	1	\$238.02 \$250.00
10/8/2016	2	\$238.02 \$250.00
11/8/2016	3	\$238.02 \$250.00
12/8/2016	4	\$238.02 \$250.00
1/8/2017	5	\$238.02 \$250.00
2/8/2017	6	\$238.02 \$350.00
3/8/2017	7	\$238.02 \$350.00
4/8/2017	8	\$238.02 \$350.00
5/8/2017	9	\$238.02 \$350.00
6/8/2017	10	\$238.02 \$350.00
7/8/2017	11	\$238.02 \$350.00
8/8/2017	12	\$238.02 \$350.00
9/8/2017	13	\$238.02 \$350.00
10/8/2017	14	\$238.02 \$350.00
11/8/2017	15	\$238.02 \$350.00
12/8/2017	16	\$238.02 \$350.00
1/8/2018	17	\$238.02 \$350.00
2/8/2018	18	\$238.02 \$350.00
3/8/2018	19	\$238.02 \$350.00
4/8/2018	20	\$238.02 \$350.00
5/8/2018	21	\$238.02 \$350.00
6/8/2018	22	\$238.02 \$350.00
7/8/2018	23	\$238.02 \$350.00
8/8/2018	24	\$238.02 \$350.00
9/8/2018	25	\$238.02 \$350.00
10/8/2018	26	\$238.02 \$350.00
11/8/2018	27	\$238.02 \$350.00
12/8/2018	28	\$238.02 \$350.00
1/8/2019	29	\$238.02 \$350.00
2/8/2019	30	\$238.02 \$350.00
3/8/2019	31	\$238.02 \$350.00
4/8/2019	32	\$238.02 \$350.00
5/8/2019	33	\$238.02 \$350.00
6/8/2019	34	\$238.02 \$350.00
7/8/2019	35	\$238.02 \$350.00
8/8/2019	36	\$238.02 \$350.00
9/8/2019	37	\$238.02 \$350.00
10/8/2019	38	\$238.02 \$350.00
11/8/2019	39	\$238.02 \$350.00
12/8/2019	40	\$238.02 \$350.00
1/8/2020	41	\$238.02 \$350.00
2/8/2020	42	\$238.02 \$350.00
3/8/2020	43	\$238.02 \$350.00
4/8/2020	44	\$238.02 \$350.00
5/8/2020	45	\$238.02 \$350.00
6/8/2020	46	\$238.02 \$350.00
7/8/2020	47	\$238.02 \$350.00
8/8/2020	48	\$238.02 \$350.00
9/8/2020	49	\$238.02 \$350.00
10/8/2020	50	\$238.02 \$350.00
11/8/2020	51	\$238.02 \$350.00
12/8/2020	52	\$500.00
1/8/2021	53	\$500.00
2/8/2021	54	\$500.00
3/8/2021	55	\$500.00
4/8/2021	56	\$500.00
5/8/2021	57	\$500.00
6/8/2021	58	\$500.00
7/8/2021	59	\$500.00
8/8/2021	60	\$500.00
receiving	\$12,139.02	\$21,850.00
total unsec.		

Label Matrix for local noticing
113A-6
Case 6:16-bk-05271
Middle District of Florida
Orlando
Tue Aug 9 09:25:08 EDT 2016

Joey Dominguez
302 North Sweetwater Blvd
Longwood, FL 32779-2517

ARS National Services Inc
P.O. Box 469100
Escondido, CA 92046-9100

Advanced Collection Bur
1535 Cogswell St., Ste B8
Rockledge, FL 32955-2739

Balanced Healthcare Receiv.
164 Burke Street, Suite 201
Nashua, NH 03060-4783

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Cardiovascular Surgeons, PA
217 Hillcrest Street
Orlando, FL 32801-1289

Central Florida Hospitalists
PO Box 2168
Apopka, FL 32704-2168

Chase Bank
PO Box 15298
Wilmington, DE 19886-5298

Christopher Sprysenski, Esq
1057 Maitland Center Commons
Suite 102
Maitland, FL 32751-7433

Citibank
P.O. Box 469100
Escondido, CA 92046-9100

Citimortgage, Inc
P.O. Box 78015
Phoenix, AZ 85062-8015

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Ditech
P.O. Box 660934
Dallas, TX 75266-0934

FMA Alliance LTD
12339 Cutten Road
Houston, TX 77066-1807

Florida Department of Revenue
Bankruptcy Unit
Post Office Box 6668
Tallahassee FL 32314-6668

Florida Hospital Medical Ctr
Patient Financial Services
PO Box 538880
Orlando, FL 32853-8800

IC System
PO Box 64437
St Paul, MN 55164-0437

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Nanette Dominguez
200 Buttonwood Court
Longwood, FL 32779-3304

Orange City Surgery Center
PO Box 638166
Cincinnati, OH 45263-8166

Orlando Heart Specialist
450 W. Central Pkwy #2000
Altamonte Springs, FL 32714-2438

Quest Diagnostics
PO Box 740781
Cincinnati, OH 45274-0781

Radiology Specialists of FL
PO Box 864552
Orlando, FL 32886-4552

Seminole County Tax Collector
Attn: Ray Valdes
Post Office Box 630
Sanford FL 32772-0630

Western Alliance Bank
PO Box 742628
Cincinnati, OH 45274-2628

Amy E Goodblatt +
Amy E Goodblatt PA
1040 Woodcock Road, Suite 251
Orlando, FL 32803-3510

United States Trustee - ORL7/13 7 +
Office of the United States Trustee
George C Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801-2210

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America
PO Box 982235
El Paso, TX 79998-2235

Discover Financial Services
PO Box 15316
Wilmington, DE 19850-5316

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Internal Revenue Service
Post Office Box 7346
Philadelphia PA 19101-7346

(u)Note: Entries with a '+' at the end of the
name have an email address on file in CMECF

Note: Entries with a '-' at the end of the
name have filed a claim in this case

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	2
Total	29